

Appln. No. 10/634,428
Response and Supplemental Information Disclosure Statement
filed November 2, 2004
Reply to Office Action dated July 30, 2004

REMARKS

Claims 1-10 are pending in this application and stand rejected. Claims 1-10 have been maintained unchanged. Claims 1 and 8 are independent.

Request for Confirmation of Consideration of Supplemental Information Disclosure Statement

A Supplemental Information Disclosure Statement was filed on August 2, 2004; however, confirmation that the cited references had been considered was not included with the Office Action mailed nearly two months later on September 30, 2004.

On October 27, 2004, Applicants' undersigned attorney communicated with the Examiner (by e-mail), who advised such confirmation would be provided. The Examiner is thanked.

Return to the undersigned of written confirmation that the art cited in the Supplemental Information Disclosure Statement was considered, in the form of an initialed copy of the Information Disclosure Statement by Applicant forms filed on August 2, is respectfully requested.

The Double-Patenting Rejection

Claims 1-10 were rejected under the judicially-created doctrine of obviousness-type double patenting as being unpatentable over claims 1-9 of U.S. Patent No. 6,648,445.

Without conceding the propriety of this rejection, and solely in order to expedite prosecution, Applicants submit herewith a terminal disclaimer to the '445 patent.